

DEPARTMENT OF TRANSPORTATION



FEDERAL HIGHWAY ADMINISTRATION  
CALIFORNIA DIVISION  
980 Ninth Street, Suite 400  
Sacramento, CA. 95814-2724  
August 12, 2002

IN REPLY REFER TO  
HDA-CA  
File #: 03-COL,SUT-20  
EA 03-1A97V0

Document #: P41267

Mr. Tom Cavanaugh  
U. S. Army Corps of Engineers, Sacramento District  
Regulatory Branch  
1325 J Street  
Sacramento, CA 95814-2922

**SUBJECT: NEPA/404 and COOPERATING AGENCY**

Dear Mr. Cavanaugh:

The Federal Highway Administration (FHWA), in cooperation with the California Department of Transportation (Caltrans) is initiating environmental documentation for the State Route (SR) 20 Upgrade in Colusa and Sutter Counties per requirements of the National Environmental Policy Act (NEPA). The project participants anticipate that NEPA documentation will be in the form of an environmental assessment (EA).

The project is combined of four smaller proposals and therefore the environmental analysis will consider cumulative affects from all four. The project will affect wetlands (greater than 5 acres) along the highway right-of-way (in linear fashion), thus necessitating a U.S. Army Corps of Engineers (ACOE) Individual Permit. The presence of special status species in these wetlands and associated habitat will prompt consultation with the US Fish and Wildlife Service (FWS).

FHWA and Caltrans have identified a need to upgrade existing State Route 20, from Butte Vista Way in Colusa County (kilo post [KP] 52.7) to Hageman Road in Sutter County (KP 4.0). The proposed upgrade includes a pavement overlay, shoulder widening (to 2.4 meters), raising the profile approximately 0.3 meters from KP 62.0 to 62.3, and upgrading various intersections to current standards. It is also proposed to add two-way left-turn lane and passing lanes to further enhance the safety and operation of this facility.

FHWA and Caltrans attended a pre-application meeting on July 11, 2002 at the ACOE District Office, pursuant to the NEPA/Clean Water Act Section 404 Integration Process Memorandum of Understanding (NEPA/404 MOU). The purpose of the meeting (CHECKPOINT #1 under the revised draft MOU) was to address whether the SR20 Upgrade should enter into the integrated

NEPA/404 process. Representatives from the ACOE, FWS and U. S. Environmental Protection Agency (USEPA) were in attendance, and there was agreement reached this project falls to the integrated process. Accordingly, this purpose of this letter is to issue a formal invitation as a Cooperating Agency under NEPA and secondly to provide early opportunity for consultation on the project Purpose and Need (P&N) statement and the range of alternatives/design features under the NEPA/404 MOU. FHWA is requesting written concurrence on the P&N statement and the range of alternatives to be addressed for this project.

Your involvement should entail those areas under your jurisdiction, pursuant to implementation of applicable federal laws. The following activities will be undertaken to maximize interagency cooperation. It would our intent the Caltrans/FHWA would

- Invite you to coordination meetings;
- Consult with you on any relevant technical studies that will be required for the project;
- Organize joint field reviews;
- Provide you with project information, including study results;
- Encourage your agency to use these documents to express your views on subjects within your jurisdiction and expertise; and
- Include information in the project environmental documentation that cooperating agencies need in order to discharge your responsibilities under NEPA and any other approvals, permits, licenses, or clearances.

You have the right to expect that the environmental documentation will enable you to discharge your jurisdictional responsibilities. Likewise, you have the obligation to inform us if, at any point in the process, your needs are not being met. We expect that at the end of the environmental process, the documentation will satisfy your agency's standards for analyzing environmental consequences and prescribing mitigation pursuant to NEPA. We also anticipate that your consideration of the project, pursuant to your specific implementing regulations, would proceed concurrently with preparation of the EA and would immediately precede NEPA approval. We are currently scheduled to have a public draft of the EA ready for circulation in January 2003, with anticipated approval of the final NEPA document in March 2003.

FHWA (regulatory) guidance on environmental procedures may be viewed on our website:

<http://www.fhwa.dot.gov/legregs/directives/fapg/cfr0771.htm>

Additional technical guidance may be found at:

<http://www.fhwa.dot.gov/legregs/directives/techadv/t664008a.htm>.

Further guidance concerning cooperating agencies is available at:

<http://www.fhwa.dot.gov/environmental/guidebook/vol2/doc11a.pdf>

Specifically, we are at this time requesting your cooperation under NEPA, and concurrence with the P&N statement and the "environmentally preferable" project alternative under the NEPA/404 MOU. Since the project is an upgrade of an existing facility, "alternatives" may be classed under design features which have been refined to avoid and minimize affects to wetlands and to an adjoining Wildlands, Inc. mitigation bank for giant garter snake. The Need and Purpose and "alternatives" are discussed in the enclosure.

We look forward to your response to this invitation and your active participation as cooperating agency and NEPA/404 signatory on this project. If you have any questions or would like to discuss in more detail the project or our agency's respective roles and responsibilities during the preparation of the environmental analysis and documentation, please call R.C. Slovensky, Senior Transportation Engineer, at (916) 498-5774.

Sincerely,

*/s/ Maiser Khaled*

For  
Gary N. Hamby  
Division Administrator

Enclosure

cc: w/Encl.

Identical Letters sent to ACOE, EPA, and FWS:

Laura Whitney, ACOE  
Kathy Dadey, EPA  
Nancy Levin EPA  
Mark Littlefield, FWS  
Jerry Bielfeldt, FWS

cc: (E-mail)

Gary Winters, Caltrans, MS-27  
John Webb, Caltrans, MS-15  
Scott McHenry



United States Department of the Interior  
FISH AND WILDLIFE SERVICE  
Sacramento Fish and Wildlife Office  
2808 Cottage Way, Room W-2605  
Sacramento, California 95825

IN REPLY REFER TO  
PPN 2941

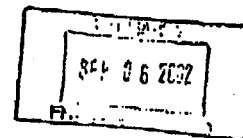
August 30, 2002

Mr. Gary N. Hamby  
Division Administrator - California Division  
Federal Highway Administration  
980 Ninth Street, Suite 400  
Sacramento, California 95814-2724

Dear Mr. Hamby:

The U.S. Fish and Wildlife Service (Service) has reviewed the August 12, 2002, National Environmental Policy Act/Section 404 Clean Water Act (NEPA/Section 404) information package regarding the State Route (SR) 20 Upgrade Project in Colusa and Sutter counties. The Federal Highway Administration (FHWA), in cooperation with the California Department of Transportation (Caltrans) and Colusa and Sutter counties, is proposing to upgrade existing SR 20 from Butte Vista Way in Colusa County to Hageman Road in Sutter County. The proposed upgrade includes a pavement overlay, shoulder widening, raising the profile 0.3 meters from kilo post (KP) 62.0 to 62.3, and the upgrading of various intersections to current standards. The information package requests Service participation as a cooperating agency in the preparation and review of an Environmental Assessment for the SR 20 Upgrade Project, pursuant to the NEPA/404 Integration Process, and requests Service concurrence on the associated Purpose and Need Statement and the Range of Alternatives.

The Service accepts the privilege of becoming a cooperating agency and concurs with your current Purpose and Need Statement and Range of Alternatives. We have included enclosures intended to assist you in your continued environmental review of this proposal. Enclosure A provides a list of sensitive species that may occur in or near the project site. The Service recommends that surveys be completed by a qualified biologist on the proposed project site to confirm the presence or absence of special-status species or their habitats. Enclosure B recommends general guidelines for identifying and mitigating project impacts to fish, wildlife, and their habitats. The Council on Environmental Quality developed regulations for implementing the National Environmental Policy Act, and defines mitigation to include: (1) avoiding the impact; (2) minimizing the impact; (3) rectifying the impact; (4) reducing or eliminating the impact over time; and (5) compensating for impacts. The Service supports and adopts this definition of mitigation and considers the specific elements to represent the desirable sequence of steps in the mitigation planning process. Accordingly, we maintain the best way to mitigate adverse biological impacts is avoidance when at all possible.



Brian Zewe - NEPA/404\cooperating agency\concurrence in P&N, range of alternatives\letter from FWS\SR20\Upgrade\Page 2

Thank you for the opportunity of becoming a cooperating agency, we look forward to a cooperative partnership with you in the development of a comprehensive environmental document. If you have any questions regarding these comments, please contact Jerry Bielfeldt of the Watershed Planning Branch at (916) 414-6584.

Sincerely,



David L. Harlow  
Acting Field Supervisor

Enclosures

cc:

AES, Portland, OR  
EPA, San Francisco, CA (Attn: Nancy Levin)  
NMFS, Sacramento, CA  
ACOE, Sacramento, CA  
Caltrans, District 3, Sacramento, CA



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street  
San Francisco, CA 94105-3901

September 25, 2002

Gary N. Hamby  
Division Administrator  
Federal Highway Administration  
980 Ninth Street, Suite 400  
Sacramento, CA 95814-2724

Dear Mr. Hamby:

EPA has reviewed the Federal Highway Administration's (FHWA) request for concurrence on the 1) purpose and need; 2) criteria for the selection of project alternatives; and 3) range of project alternatives for the **State Route (SR) 20 Upgrade in Colusa and Sutter Counties, California**. This proposed project would upgrade the existing SR 20 from Butte Vista Way in Colusa County to Hageman Road in Sutter County, a length of 14.7 kilometers (9.2 miles). It includes a pavement overlay, shoulder widening, raising the road approximately 0.3 meters for 0.3 kilometers, upgrading intersections, and adding a two-way left-turn lane and passing lanes. Our concurrence was requested by FHWA via e-mail on September 19, 2002 under the National Environmental Policy Act/Clean Water Act Section 404 Integration Process Memorandum of Understanding (NEPA/404 MOU).

Based on the information provided by FHWA, EPA concurs on the purpose and need statement, criteria for selection of project alternatives, and the range of project alternatives for the SR 20 Upgrade project in Colusa and Sutter Counties.

We look forward to reviewing the Draft Environmental Assessment. If you have any questions, you can contact Nancy Levin, the principal NEPA reviewer on this project, at 415-972-3848 or [levin.nancy@epa.gov](mailto:levin.nancy@epa.gov); or I can be reached at 415-972-3854.

Sincerely,

A handwritten signature in black ink, reading "Lisa B. Hanf". The signature is written in a cursive, flowing style.

Lisa B. Hanf, Manager  
Federal Activities Office

cc. R.C. Slovensky, Federal Highway Administration  
✓ Jean L. Baker, Caltrans District 3  
Mark Littlefield, U.S. Fish and Wildlife Service  
Tom Cavanaugh, U.S. Army Corps of Engineers



REPLY TO  
ATTENTION OF

DEPARTMENT OF THE ARMY  
U.S. ARMY ENGINEER DISTRICT, SACRAMENTO  
CORPS OF ENGINEERS  
1325 J STREET  
SACRAMENTO, CALIFORNIA 95814-2922  
October 1, 2002

Regulatory Branch (200200554)

Mr. Gary N. Hamby  
Division Administrator - California Division  
Federal Highway Administration  
980 Ninth Street, Suite 400  
Sacramento, California 95814-2724

Dear Mr. Hamby,

I am responding to your letter and enclosure, dated August 12, 2002, initiating environmental documentation for the State Route (SR) 20 Upgrade in Colusa and Sutter Counties per requirements of the National Environmental Policy Act (NEPA). The purpose of your letter is to issue a formal invitation as a Cooperating Agency under NEPA and to provide an early opportunity for consultation on the project Purpose and Need Statement and alternatives in accordance with the "Memorandum of Understanding, National Environmental Policy Act and the Clean Water Act Section 404 Integration Process for Surface Transportation Projects in Arizona, California and Nevada.

After reviewing your letter we can tentatively concur with the Purpose and Need Statement, which clearly states that public safety is the goal by adding and extending the two-way left-turn lanes, as well as increasing the length of the passing lanes. In addition, we tentatively concur with the third proposed alternative, which states this alternative reduces the proposed project footprint to minimize the impacts to the environmentally sensitive areas associated with the project.

The Corps of Engineers jurisdiction within the study area is under the authority of Section 404 of the Clean Water Act for the discharge of dredged or fill material into waters of the United States. Waters of the United States include, but are not limited to, rivers, perennial or intermittent streams, lakes, ponds, wetlands, vernal pools, marshes, wet meadows, and seeps. Project features that result in the discharge of dredged or fill material into waters of the United States will require Department of the Army authorization prior to starting work.

The range of alternatives to be considered in the public draft environmental assessment scheduled for release in January 2003, should include alternatives that avoid impacts to wetlands or other waters of the United States. Every effort should be made to avoid project features which require the discharge of dredged or fill material into waters of the United States. In the event it can be clearly demonstrated there are no practicable alternatives to filling waters of the United States, mitigation plans should be developed to compensate for the unavoidable losses resulting from project implementation.

The Corps accepts the privilege of becoming a cooperating agency. Once we receive a permit application, the Environmental Assessment, Biological Assessment, and the mitigation plan, we will start processing a Department of the Army Individual Permit for the proposed project.

Please refer to identification number 200200554 in any future correspondence concerning this project. If you have any questions, please write to Ms. Laura Whitney at the letterhead address, or email [Laura.A.Whitney@usace.army.mil](mailto:Laura.A.Whitney@usace.army.mil), or telephone 916-557-7455.

Sincerely,

**ORIGINAL SIGNED**

Tom Cavanaugh  
Chief, Sacramento Valley Office

Enclosures

Copies Furnished:

- ✓ Jean L. Baker, Chief, Office of Environmental Technical Studies, CALTRANS, District 3,  
P.O. Box 911, Marysville, California 95901-0911
- Kathleen Dadey, U.S. Environmental Protection Agency, Region IX, Wetlands Regulatory  
Office (WTR-8), Water Management Division, 75 Hawthorne Street, San Francisco,  
California 94105
- Justin Ly, U.S. Fish and Wildlife Service, Sacramento Valley Branch, 2800 Cottage Way,  
Room W-2605, Sacramento, California 95825
- David L. Harlow, Acting Field Supervisor, U.S. Fish and Wildlife Service, 2800  
Cottage Way, Room W-2605, Sacramento, California 95825





U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL HIGHWAY ADMINISTRATION  
CALIFORNIA DIVISION  
980 Ninth Street, Suite 400  
Sacramento, CA. 95814-2724  
March 27, 2003

IN REPLY REFER TO

HDA-CA

File # 03-COL/SUT-20, PM 32.7/R39.4; R0.0/2.5

Document # P44094

**CERTIFIED RETURN RECEIPT REQUESTED #7002-0510-0003-5330-2560**

Mr. Wayne White, Field Supervisor  
U. S. Fish and Wildlife Service  
Sacramento Fish and Wildlife Office  
2800 Cottage Way, Room E-1803  
Sacramento, CA 95825-1846

Attention: Jan Knight

Dear Mr. White:

The California Department of Transportation (Caltrans), in conjunction with the Federal Highway Administration, is proposing to rehabilitate and improve portions of State Route 20 from Hageman Road in Sutter County to Butte Vista Way in Colusa County. The work would include pavement overlay, shoulder widening, raising the roadway profile in a flood-prone area, upgrading intersections and add two-way turn lanes and passing lanes.

Enclosed is one copy of the Biological Evaluation for your information and use. The FHWA has determined that the project is likely to adversely affect two federally listed threatened species, the Giant garter snake (GGS) and the Valley elderberry longhorn beetle (VELB). Therefore, we are initiating formal consultation pursuant to Section 7 of the Endangered Species Act. Due to avoidance measures, Caltrans, our designated non-Federal representative, has determined that there would be no effect to any other listed species or their proposed Critical Habitat, including Vernal pool tadpole shrimp and Vernal pool fairy shrimp. Please note that the location information for the Dolan Ranch Conservation Bank (i.e., Critical Habitat Unit 6 for Vernal pool tadpole shrimp) in the Federal Register dated September 24, 2002 appears to be incorrect.

Impacts of the project to Elderberry shrubs, the host plant of VELB, are within the limitations identified in "*Formal Programmatic Consultation Permitting Projects with Relatively Small Effects on the Valley Elderberry Longhorn Beetle Within the Jurisdiction of the Sacramento Field Office, California.*" Therefore, we are requesting that this project be appended to that opinion. Proposed mitigation for impacts to VELB is in accordance with the 1999 *Conservation Guidelines for the Valley Elderberry Longhorn Beetle.*" Mitigation will be provided at a Service-approved mitigation bank.

Proposed mitigation for impacts to GGS is consistent with the *Programmatic Formal Consultation for U.S. Army Corps of Engineers 404 Permitted Projects with Relatively Small*

*Effects on the Giant Garter Snake.*" We believe this should facilitate the consultation process. All mitigation will be done at the nearby Service-approved Dolan Ranch Conservation Bank.

If needed, contact Larry Vinzant at (916) 498-5048 or Steve Healow at (916) 498-5849.

Sincerely,

*/s/ Larry Vinzant*

For  
Gary N. Hamby  
Division Administrator

Enclosure

c:  
(E-mail)  
Gary Winters  
Jean L. Baker  
Larry Vinzant  
Steve Healow

LVinzant:tc

**DEPARTMENT OF TRANSPORTATION**

DISTRICT 3  
703 B STREET  
P. O. BOX 911  
MARYSVILLE, CA 95901-0911  
PHONE (530) 741-4498  
FAX (530) 741-4457  
TTY (530) 741-4509



*Flex your power!  
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April 16, 2003

Mr. Tom Cavanaugh  
U. S. Army Corps of Engineers, Sacramento District  
Regulatory Branch  
1325 J Street, Room 1480  
Sacramento, CA 95814-2922  
Attn: Ms. Laura Whitney

03-Col, Sut-20  
KP 52.7/R63.4; R0.0/4.0  
PM 32.7/R39.4; R0.0/2.5  
EA 03-1A97V0

Subject: Verification of Wetland Delineation

Dear Mr. Cavanaugh:

The California Department of Transportation (Caltrans) is proposing a roadway rehabilitation project on State Route 20 in Colusa and Sutter Counties.

Per Section 404 of the Clean Water Act, jurisdictional waters, including wetlands, are present in the project study area. A delineation of these waters has been completed and the results are documented in the enclosed Wetland Delineation Report and associated attachments. A total of 53.99 acres of potentially jurisdictional wetlands have been identified within the project limits. A portion of these will be impacted as a result of this project.

The purpose of this letter is to request U. S. Army Corps of Engineers verification of this delineation, in anticipation of a Section 404 permit. Enclosed please find a copy of the Wetland Delineation Report, which includes mapping of the wetlands and supporting delineation data sheets. Please contact Jennifer Olah at (530) 740-4807, or [Jennifer\\_Olah@dot.ca.gov](mailto:Jennifer_Olah@dot.ca.gov), to arrange a field review of the project area, or if you have any questions or require additional information.

Sincerely,

Original signed by  
JEAN L. BAKER, Chief  
Environmental Management, M2 Branch

Enclosure

c: A. Pommerenck, Environmental Coordinator  
Biology Project File



**-U.S. DEPARTMENT OF TRANSPORTATION**  
FEDERAL HIGHWAY ADMINISTRATION  
CALIFORNIA DIVISION  
980 Ninth Street, Suite 400  
Sacramento, CA. 95814-2724  
January 31, 2003

IN REPLY REFER TO  
HDA-CA  
File # 03-COL-20, PM 33.1/39.4  
03-SUT-20, PM 0.0/2.5  
Document # P43387

**CERTIFIED RETURN RECEIPT REQUESTED # 7002-0510-0003-5330-2942**

Dr. Knox Mellon  
State Historic Preservation Officer  
Office of Historic Preservation  
P. O. Box 942896  
Sacramento, CA 94296-0001

Dear Dr. Mellon:

The California Department of Transportation, in conjunction with the Federal Highway Administration (FHWA), is proposing to widen and rehabilitate an 8.8-mile section of State Highway 20 in Colusa and Sutter Counties. The work would include adding passing lanes, resurfacing the pavement, extending left-hand turn lanes and elevating the vertical profile in an area within the historic flood level.

Enclosed is one copy of the Historic Property Survey Report. Six architectural resources within the Area of Potential Effect (APE) were formally evaluated to determine their eligibility for listing on the National Register of Historic Places (NRHP). The FHWA has determined that only one property, the former Northern Electric Railway Depot located in the town of Meridian, is eligible for listing at the local level of significance under Criteria A and C. The structure is the only remaining example of five cobblestone Craftsman-style depots constructed by the Northern Electric Railway. However, work within this area of the project is within existing right-of-way and no effect to the building is anticipated. No archaeological resources were identified.

In accordance with consultation pursuant to Section 106 of the National Historic Preservation Act, the FHWA is requesting your concurrence that 1) the APE is adequately defined, 2) good-faith efforts, to date, are adequate in identifying cultural resources, 3) the former depot is eligible for listing on the NRHP, and 4) there would be no effect to the former depot.

If you have any questions, contact Larry Vinzant at (916) 498-5048 or Brian Zewe at (916) 498-5348.

Sincerely,

*/s/ Larry Vinzant*  
For  
Gary N. Hamby  
Division Administrator

Enclosure

C:

(E-mail)

Gary Winters

Jean L. Baker, District 3

Larry Vinzant

Brian Zewe

R.C. Slovensky

Maiser Khaled

LVinzant:tc

**OFFICE OF HISTORIC PRESERVATION  
DEPARTMENT OF PARKS AND RECREATION**

P.O. BOX 942896  
SACRAMENTO, CA 94296-0001  
(916) 653-6624 Fax (916) 653-9824  
calshpo@ohp.parks.ca.gov



March 3, 2003

Reply To: FHWA030205A

Gary N. Hamby, Division Administrator  
U.S. Department of Transportation  
Federal Highway Administration  
California Division  
980 Ninth Street, Suite 400  
Sacramento, CA 95814-2724

Re: Determinations of Eligibility and Effect for the Proposed Widening and Rehabilitation of  
State Route 20, Colusa and Sutter Counties, CA [HDA-CA, FILE NO. 03-COL-20, PM  
33.1/39.4, 03-SUT-20, PM 0.0/2.5, DOCUMENT NO. P43387]

Dear Mr. Hamby:

You have provided me with the results of your efforts to determine whether the area of potential effect (APE) for the undertaking described above contains historic properties. You have done this, and are consulting with me, in order to comply with Section 106 of the National Historic Preservation Act and implementing regulations codified at 36 CFR Part 800.

The Federal Highway Administration (FHWA) has determined that the following properties are not eligible for the National Register of Historic Places (NRHP):

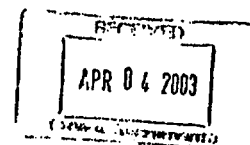
- Barn, APN 15-130-088, Colusa, CA
- 2212 Highway 20, Colusa, CA
- 2220 Highway 20, Colusa, CA
- 7749 Highway 20, Colusa, CA
- 7831 Highway 20, Colusa, CA

The FHWA has also determined that the Northern Electric Railway Depot, located at 1213 3<sup>rd</sup> Street in Meridian is eligible under criteria A and C at a local level of significance. Under criterion A the depot is significant for its association with the Northern Electric Railway (NE). Under criterion C the property is significant for its unique design and architectural quality. Constructed in 1914, the building is one of five cobblestone Craftsman style depots constructed by the NE, and the only surviving example of its type.

Based on review of the submitted documentation, I concur with the foregoing determinations.

Before I can concur that the FHWA's effort to identify historic properties in the undertaking's APE is adequate pursuant to 36 CFR § 800.4(b)(1), I would appreciate receiving the following additional information:

- (1) An expanded description of the undertaking that indicates where and to what horizontal and vertical extent the undertaking will disturb ground within the APE.
- (2) Delineation of the area covered by the records search, an explanation of the basis for that delineation, and a complete copy of the records search results.



Mr. Hamby  
March 3, 2003  
Page 2 of 2

- (3) Using the results of the record search and any other pertinent data, including the information cited in item 1., above, a statement that addresses the likelihood of discovering subsurface archaeological deposits (predictive assessment) within areas of the APE subject to ground disturbance. In cases where data limitations preclude a useful predictive assessment, and the undertaking involves ground disturbance, information about the historical geomorphology and stratigraphy of the APE should be used to prepare the predictive assessment.

Thank you for considering historic properties during project planning. If you have any questions, please contact Natalie Lindquist at (916) 654-0631 and e-mail at [nlind@ohp.parks.ca.gov](mailto:nlind@ohp.parks.ca.gov) or Michael McGuirt at (916) 653-8920 and e-mail at [mmcguirt@ohp.parks.ca.gov](mailto:mmcguirt@ohp.parks.ca.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Knox Mellon", followed by a stylized flourish or signature mark.

Dr. Knox Mellon  
State Historic Preservation Officer

## DEPARTMENT OF TRANSPORTATION

DISTRICT 3  
703 B STREET  
P. O. BOX 911  
MARYSVILLE, CA 95901-0911  
PHONE (530) 741-4498  
FAX (530) 741-4457  
TTY (530) 741-4509



*Flex your power!  
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October 23, 2002

Dan Martynn  
Natural Resources Conservation Service  
Colusa County Soil Survey Office  
100 Sunrise Boulevard, Suite B  
Colusa, CA 95932

Dear Mr. Martynn:

The California Department of Transportation, District 3, is conducting an environmental assessment for a proposed project in Colusa and Sutter Counties that will rehabilitate the roadway on the existing alignment from Butte Vista Way in Colusa County (post mile 32.7-39.0) to Hageman Road in Sutter County (post mile 0.0-2.5). The proposed rehabilitation will include shoulder widening, upgrading intersections to current standards, adding two-way left turn lanes and passing lanes, and overlaying the roadbed with asphalt concrete pavement.

Approximately 16 acres of additional right-of-way will be required in Colusa County and 36 parcels are involved. In Sutter County, approximately two acres of new right-of-way will be acquired from 13 parcels. The acquisitions will be in the form of strips of land adjacent to the existing alignment.

A project location map and layouts of the existing and proposed right-of-way are attached for your information. Topographic maps are also included, showing the proposed right-of-way acquisition. In accordance with 7 CFR part 658, we are requesting your response to Parts II, IV, and V of the enclosed "Farmland Impact Rating" form.

If you are unable to comply with this request within 45 days of receipt, please let us know so that we can proceed with completion of the environmental assessment. If you have any questions, please contact Adele Pommerenck at (530) 741-4215.

Sincerely,

A handwritten signature in cursive script that reads "Susan D. Bauer".

Susan D. Bauer, Acting Chief  
Office of Environmental Management, M2

Enclosures



## DEPARTMENT OF TRANSPORTATION

DISTRICT 3  
703 B STREET  
P. O. BOX 911  
MARYSVILLE, CA 95901-0911  
PHONE (530) 741-4498  
FAX (530) 741-4457  
TTY (530) 741-4509



*Flex your power!  
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October 23, 2002

Ernest Paschke  
Natural Resources Conservation Service  
Sutter County Soil Survey Office  
1511 Butte House Road, Suite B  
Yuba City, CA 95993

Dear Mr. Paschke:

The California Department of Transportation, District 3, is conducting an environmental assessment for a proposed project in Sutter and Colusa Counties that will rehabilitate the roadway on the existing alignment from Hageman Road in Sutter County (post mile 0.0-2.5) to Butte Vista Way in Colusa County (post mile 32.7-39.0). The proposed rehabilitation will include shoulder widening, upgrading intersections to current standards, adding two-way left turn lanes and passing lanes, and overlaying the roadbed with asphalt concrete pavement.

Approximately two acres of additional right-of-way will be required in Sutter County and 13 parcels are involved. In Colusa County, approximately 16 acres of new right-of-way will be acquired from 36 parcels. The acquisitions will be in the form of strips of land adjacent to the existing alignment.

A project location map and layouts of the existing and proposed right-of-way are attached for your information. Topographic mapping is also included, showing the proposed right-of-way acquisition. In accordance with 7 CFR part 658, we are requesting your response to Parts II, IV, and V of the enclosed "Farmland Impact Rating" form.

If you are unable to comply with this request within 45 days of receipt, please let us know so that we can proceed with completion of the environmental assessment. If you have any questions, please contact Adele Pommerenck at (530) 741-4215.

Sincerely,

A handwritten signature in cursive script that reads "Susan D. Bauer".

Susan D. Bauer, Acting Chief  
Office of Environmental Management, M2

Enclosure

United States Department of Agriculture



Natural Resources Conservation Service  
1511-B Butte House Rd.  
Yuba City, CA 95993  
Telephone: 530-674-1461, ext. 3  
Fax: 530-674-1480

---

November 6, 2002

Susan D. Bauer, Acting Chief  
Office of Environmental Management, M2  
CA Department of Transportation  
P.O. Box 911  
Marysville, CA 95901-0911

Dear Ms. Bauer:

The Farmland Conversion Impact Rating form you requested is enclosed. We have completed our portion for the Route 20 rehabilitation. The two acres in question have been rated as prime farmland.

Please feel free to call us at 674-1461, ext. 3, if you have questions.

Sincerely,

*Gail Moffitt for:*

Ernst Paschke  
District Conservationist

United States Department of Agriculture



Natural Resources Conservation Service  
Colusa Field Office  
100 Sunrise Blvd. Suite B  
Colusa, CA 95932  
(530) 458-2931 x3

November 18, 2002

Department of Transportation  
North Region District 3  
Office of Environmental Management

Adele Pommerenck  
703 B Street  
P.O. Box 911  
Marysville, CA 95901-0911

Dear Ms. Pommerenck,

Please find enclosed a copy of the following:

1. Form 1006, Farmland Conversion Impact Rating
2. Soils Map for Project Area
3. Documentation for Part II and IV for the 1006 Form

**AD 1006 Documentation for Colusa - Sutter Hwy 20 Roadway Rehabilitation Project**

| Soil # | Acres | Storie Index | Category |
|--------|-------|--------------|----------|
| 108    | 0.4   | 40           | Prime    |
| 125    | 0.1   | 100          | Prime    |
| 160    | 1.9   | 70           | Prime    |
| 171    | 2.4   | 100          | Prime    |

TOTAL : 4.8 acres

**PART IVC**

Acres to be converted / acres of farmland in County X 100 =  $16 / 430,858 \times 100 = .003$

**PART V**

| Soil # | Acres | Storie Index | Product |
|--------|-------|--------------|---------|
| 102    | 0.4   | .72          | .288    |
| 106    | 1.2   | .21          | .252    |
| 108    | 0.4   | .40          | .16     |
| 125    | 0.1   | .100         | .01     |
| 130    | 1.8   | .60          | 1.08    |
| 136    | 5.7   | .08          | .456    |
| 160    | 1.9   | .70          | 1.33    |
| 171    | 2.4   | .100         | .04     |

TOTAL: 13.9 acres 3.616  
 $3.616 / 13.9 \times 100 = 26$

The Natural Resources Conservation Service provides leadership in a partnership effort to help people conserve, maintain, and improve our natural resources and environment.

An Equal Opportunity Provider and Employer

**PART IVD**

Acres to be converted / acres with soils with a Storie Index of 26 or Higher (see attached table for acres)  
 $13.8 / 336,393 \times 100 = .004$

Correlating with AD 1006 Form:

Percentage of farmland in Government jurisdiction with same or relative higher value = 78%

Percentage of farmland to be converted with same or relative higher value =  $13.9 / 336,393 \times 100 = .004$

Sincerely,

*Andrea Casey*

Andrea Casey  
Soil Conservationist  
Colusa Field Office

**DEPARTMENT OF TRANSPORTATION**

DISTRICT 3  
703 B STREET  
P. O. BOX 911  
MARYSVILLE, CA 95901-0911  
PHONE (530) 741-4498  
FAX (530) 741-4457  
TTY (530) 741-4509



*Flex your power!  
Be energy efficient!*

May 1, 2003

03-Col, Sut 20  
KP 52.7/R63.4; R0.0/4.0  
PM 32.7/R39.4; R0.0/2.5  
EA 1A97V0

Darryl Young, Director  
Department of Conservation  
801 K Street, MS 24-01  
Sacramento, CA 95814

Dear Mr. Young:

In accordance with Government Code Section 51291(b), this letter is to serve as notification of the possible acquisition of Williamson Act contracted land for a proposed highway improvement project in Colusa and Sutter Counties. The project would rehabilitate State Route 20 on the existing alignment from Butte Vista Way in Colusa County to Hageman Road in Sutter County. The proposed rehabilitation would include shoulder widening, upgrading intersections to current standards, adding two-way left turn lanes and passing lanes, and overlaying the roadbed with asphalt concrete pavement.

The total proposed acquisition of Williamson Act contracted land is approximately 5.5 acres of prime agricultural land. The project will affect six Williamson Act designated parcels, all of which are part of a Super Williamson Act contract consisting of 52 parcels containing 8,388.6 acres of land. A large portion of the area surrounding the project is agriculturally zoned. In addition, there are residential and light industrial areas located within the project.

The following attachments are included for your information:

- Project location map
- Williamson Act parcel acquisition list and assessor parcel maps
- Project layout maps showing proposed Williamson Act land acquisitions
- Copy of Super Williamson Act contract FSZ #01-23

The right-of-way acquisition for this project will be in the form of strips of land adjacent to the existing highway and in areas needed for the construction of intersection improvements, as depicted on the attached maps.

Darryl Young  
May 1, 2003  
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As to the explanation of preliminary consideration of Government Code Section 51292, this is a state highway project determined to be exempt from this requirement as stated in Section 51293. In accordance with Section 51291(e), notices and findings regarding Williamson Act parcels will also be contained within a CEQA document prepared by this office.

If your office has not contacted us within 30 days, we will assume you have no comments or concerns regarding this proposed acquisition. Please contact Adele Pommerenck at (530) 741-4215 if you have any questions.

Sincerely,

*Original signed by*

JEAN L. BAKER, Chief  
Office of Environmental Management, M2

Attachments



DEPARTMENT OF CONSERVATION  
STATE OF CALIFORNIA

May 27, 2003

DIVISION OF  
LAND RESOURCE  
PROTECTION

■ ■ ■

801 K STREET  
SACRAMENTO  
CALIFORNIA  
95814

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INTERNET  
consrv.ca.gov

■ ■ ■

GRAY DAVIS  
GOVERNOR

Ms. Jean L. Baker, Chief  
Department of Transportation  
Office of Environmental Management, M2  
P.O. Box 911  
Marysville, CA 95901-0911

Subject: Public Agency Acquisition of Land Enrolled in a Farmland  
Security Zone (FSZ) Contract - State Route (SR) 20  
Rehabilitation, Colusa and Sutter Counties

Dear Ms. Baker:

Thank you for your letter of May 1, 2003 notifying the Department of Conservation (Department) of the Department of Transportation's (Caltrans) possible acquisition of 5.5 acres of prime agricultural land enforceably restricted by FSZ contract. The purpose of the project is to rehabilitate SR 20 on its existing route from Butte Vista Way in Colusa County to Hageman Road in Sutter County. Rehabilitation includes shoulder widening, upgrading intersections and adding left-turn lanes and passing lanes. The proposed acquisition involves six parcels that are part of a FSZ contract consisting of 52 parcels totaling 8,388.6 acres. Surrounding land use is agricultural with areas of residential and light industrial. According to Caltrans maps, the acquisition involves strips of land contiguous to the existing highway.

The Williamson Act (Government Code §51292) requires that public agencies cannot locate public improvements in agricultural preserves unless the following specific findings can be made.

- *"The location is not based primarily on a consideration of the lower cost of acquiring land in an agricultural preserve (§51292(a))."*
- *"If the land is agricultural land covered under a contract pursuant to this chapter for any public improvement, that there is no other land within or outside the preserve on which it is reasonably feasible to locate the public improvement (§51292(b))."*

The letter states that the project is exempt from §51292 pursuant to Government Code §51293. Government Code §51293(g) states that Government Code §51292 shall not apply to *"All state highways on routes as described in sections 301 to 622, inclusive, of the Streets and Highways Code, as those sections read on October 1, 1965."*

If the project route conforms to this description and the acquired FSZ land consists of strips of land contiguous to the route, it appears that the findings required in Government Code §51292 do not apply to this project's acquisition of contracted land.

A Williamson Act/FSZ contract is an enforceable restriction pursuant to Article XIII, §8 of the California Constitution and Government Code §51252. Only acquisitions by or in lieu of eminent domain will void a Williamson Act contract pursuant to Government Code §51295 (assuming other necessary requirements are met). If the acquisition does not void the contract, Caltrans' uses of the property will be affected and limited by the terms of the contract.

The Department does not provide counsel regarding eminent domain law but encourages Caltrans to obtain legal counsel for this purpose. To assist our review, we request a description of Caltrans' land acquisition process and copies of corresponding sample documents including the appraisal and offer letter in conformance with Government Code §§7267.1 and 7267.2.

The Department requests copies of CEQA documents related to this project. Please be aware that, pursuant to Government Code §51291(d), the Department must be notified of any proposed significant changes to the project. The Department must also be notified within 10 days when the property is actually acquired (Government Code §51291(c)). If Caltrans determines not to locate the proposed public improvement on the subject property, before returning the land to private ownership, the Department must be notified. The land shall be reenrolled in a new contract or encumbered by an enforceable restriction at least as restrictive as that provided by the Williamson Act (Government Code §51295). If you have any questions, please contact Bob Blanford, Research Analyst, at (916) 327-2145.

Sincerely,

A handwritten signature in black ink, appearing to read 'Erik Vink', with a stylized flourish at the end.

Erik Vink  
Assistant Director